

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KEITH SWANSON,

Petitioner,

vs.

CPT BRADY and MICHAEL KLINE,

Respondents.

NO. CV-05-132-RHW

ORDER DISMISSING ACTION

By Order filed May 31, 2005, the court directed Mr. Swanson to comply with the *in forma pauperis* requirements set forth in Rule 3, Rules Governing Section 2254 Cases in the United States District Courts. The court advised that failure to comply within twenty (20) days would be construed as Petitioner's consent to the dismissal of this action. Mr. Swanson has filed nothing further. Accordingly, **IT IS ORDERED** this action is **DISMISSED without prejudice** for failure to comply with Habeas Rule 3.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Petitioner and close the file.

DATED this 23rd day of June 2005.

s/ ROBERT H. WHALEY
UNITED STATES DISTRICT JUDGE